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**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application Number: 10/589,058
Filing Date: August 11, 2006
Appellant(s): PUETTNER ET AL.

Clifford A. Ulrich
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed on March 3, 2010 appealing from the Office action mailed on August 26, 2009.

**(1) Real Party in Interest**

The examiner has no comment on the statement, or lack of statement, identifying by name the real party in interest in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

10. A removable electrical plug-in connection comprising: a connector; and
a mating connector, the mating connector including a first contact element (3) having at least one contact area which is connectable at least in part to the connector, wherein
the connector (12) includes at least one clamping element (4) which grips at least in part around a second contact element (6) in its contact position, and this clamping element (4) presses at least a part of the second contact element (6) against the contact area (7) for establishing the electrical plug-in connection, the clamping element configured to fix the at least a part of the second contact

element to the contact area.

11. The plug-in connection according to Claim 10, wherein the clamping element (4) is positioned displaceably within the connector (12) and latches in its contact position.

13. The plug-in connection according to Claim 10, wherein the clamping element (4) has latching means with which the second contact element (6) latches together.

14. The plug-in connection according to Claim 10, wherein the clamping element (4) is designed in such a way that the second contact element (6) is fixed in its longitudinal extension on at least one side of the first contact element (3) at least in part in the contact area (7).

15. The plug-in connection according to Claim 11, wherein the clamping element (4) is designed in such a way that the second contact element (6) is fixed in its longitudinal extension on at least one side of the first contact element (3) at least in part in the contact area (7).

17. The plug-in connection according to Claim 13, wherein the clamping element (4) is designed in such a way that the second contact element (6) is fixed in its

longitudinal extension on at least one side of the first contact element (3) at least in part in the contact area (7).

18. The plug-in connection according to Claim 10, wherein the second contact element (6) is pressed against the contact area (7) of the first contact element (3) when the connector (12), made up of the second contact element (6), a contact carrier (11) and the clamping element (4), is closed.

19. The plug-in connection according to Claim 11, wherein the second contact element (6) is pressed against the contact area (7) of the first contact element (3) when the connector (12), made up of the second contact element (6), a contact carrier (11) and the clamping element (4), is closed.

21. The plug-in connection according to Claim 14, wherein the second contact element (6) is pressed against the contact area (7) of the first contact element (3) when the connector (12), made up of the second contact element (6), a contact carrier (11) and the clamping element (4), is closed.

22. The plug-in connection according to Claim 10, wherein the second contact element (6) has a sleeve (8) at least in the contact area (7) for compensating different diameters of second contact elements (6).

23. The plug-in connection according to Claim 11, wherein the second contact element (6) has a sleeve (8) at least in the contact area (7) for compensating different diameters of second contact elements (6).

25. The plug-in connection according to Claim 14, wherein the second contact element (6) has a sleeve (8) at least in the contact area (7) for compensating different diameters of second contact elements (6).

26. The plug-in connection according to Claim 18, wherein the second contact element (6) has a sleeve (8) at least in the contact area (7) for compensating different diameters of second contact elements (6).

27. The plug-in connection according to Claim 22, wherein the sleeve (8) has at least one contact point on its outer surface (9) which is at a distance from the diameter of the sleeve (8) which comes into contact with the contact area (7) of the first contact element (3).

28. The plug-in connection as recited in Claim 22, wherein the sleeve (8) can be plugged directly onto the end of a cable.

29. A removable electrical plug-in connection comprising:
a connector including a first contact element and a clamping element, the

clamping element having an open position and a closed position; and

a mating connector including a second contact element, wherein

the first contact element is movable with respect to the second contact element in a contact area when the clamping element is in the open position, and

the clamping element, when in the closed position, fixes the first contact element with respect to the second contact element in the contact area by pressing the first contact element and the second contact element together.

**(4) Status of Amendments After Final**

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

**(5) Summary of Claimed Subject Matter**

The examiner has no comment on the summary of claimed subject matter contained in the brief.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the

subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

**(7) Claims Appendix**

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

**(8) Evidence Relied Upon**

| | | |
|---|---|---|
| 5,971,806 | Evans et al. | 10-1999 |

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 11, 13-15, 17 – 19, 21 – 23 and 25 - 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Evans et al. (US 5,971,806).

Regarding claim 10, Evans et al., fig. 1-6, discloses a removable electrical plug-in connection comprising a connector 10 and a mating connector (not labeled), the mating connector including a first contact element 50 having at least one contact area 51 which is connectable at least in part to the connector, wherein the connector includes at least one clamping element 20, 30 which grips at least in part around a second contact element 23, 33 in its contact position, and this clamping element presses at least a part of the second contact element against the contact area 25, 35 for establishing the electrical plug-in connection, the clamping element configured to fix the at least a part of the second contact element to the contact area.

Regarding claim 11, Evans et al. discloses the clamping element is positioned displaceably within the connector and latches in its contact position.

Regarding claim 13, Evans et al. discloses the clamping element has latching means with which the second contact element latches together.

Regarding claims 14, 15 and 17, Evans et al. discloses the clamping element is designed in such a way that the second contact element is fixed in its longitudinal extension on at least one side of the first contact element at least in part in the contact area.

Regarding claims 18, 19 and 21, Evans et al. discloses the second contact element is pressed against the contact area of the first contact element when the connector, made up of the second contact element, a contact carrier and the clamping element, is closed.

Regarding claims 22, 23, 25 and 26, Evans et al. discloses the second contact element has a sleeve (not labeled) at least in the contact area for compensating different diameters of second contact elements.

Regarding claim 27, Evans et al. discloses the sleeve has at least one contact point on its outer surface which is at a distance from the diameter of the sleeve which comes into contact with the contact area of the first contact element.

Regarding claim 28, Evans et al. discloses the sleeve can be plugged directly onto the end of a cable.

Regarding claim 29, Evans et al. discloses the a removable electrical plug-in connection comprising: a connector 10 including a first contact element 50 and a clamping element 20, 30, the clamping element having an open position and a closed position; and a mating connector (not labeled) including a second contact element 23, 33, wherein the first contact element is movable with respect to the second contact element in a contact area 25, 35 when the clamping element is in the open position, and

the clamping element, when in the closed position, fixes the first contact element with respect to the second contact element in the contact area by pressing the first contact element and the second contact element together.

**(10) Response to Argument**

On page 4, third paragraph, Appellant's arguments filed on February 19, 2009 have been fully considered but they are not persuasive.

On page 4, regarding Claims 10 and 29, the Appellant has argued "it is plainly apparent that Evans et al. does not disclose, or even suggest, a clamping element that is configured to fix at least a part of a second contact element to a contact area, as recited in claim 10 or a clamping element that, when in the closed position, fixes a first contact element with respect to a second contact element in the contact area by pressing the first contact element and the second contact element together, as recited in claim 29" the Appellant has further stated "Evans et al. states that *[s]ufficient floating movement* of the springs and the flexible circuits is desired to allow the desired alignment between the contact areas 25, 35 and the pads 50 of the PCB" and the Final Office Action alleges that Evans et al. discloses a clamping element 20, 30 that, when in the closed position, fixes a first contact element 50 with respect to a second contact element 23 in the contact area by pressing the first contact element 50 and the second contact element 23 together. However, the Final Office Action does not identify any disclosure in Evans et al. to support these plainly *conclusory* assertions. Indeed, as set forth below, Evans et al. does not disclose, or even suggest, these features.

The Examiner respectfully disagrees. In the instant specification paragraph 0013, describes fixing of contact element as "for fixing contact elements 6 on contact element 3, clamping elements 4 of contact carrier 11 are provided which, in the exemplary embodiment shown here, grip around the ends of contact element 6, at least partially, and press contact element 6 against contact areas 7 of contact element 3, and again in paragraph 0015 states, there is the possibility that clamping elements 4 are displaceably positioned. Further, paragraph 0012, describes the arrangement of Figure 1, wherein the contact carrier Figure 1, of the invention shows clamping element 4; contact element 6 is inserted into contact carrier 11 through aperture 5. The disclosure therefore suggest that electrical connection is made between the contact area 7 of contact element 3 and beads 10 of contact element 6 by inserting the contact element 6 through aperture 5. Therefore the force exerted by the clamping element 4 on the beads 10 is just sufficient to make electrical connection between the contact area 7 and beads 10. There is no other actuating mechanism or fixing element disclosed by the Appellant. Though the Appellant did not disclose either beads or the clamping element to be resilient, at least one of them will have to be resilient to exert force and to make electrical connection.

Evans et al. discloses contact element 50 with contact area 51, clamping element 20, 30; second contact element 23, 33; contact area 25, 35; and functional relation among these elements in Figures 1 and 2B and corresponding description in column 4, lines 38-67 and column 5, lines 1-11. Each spring or clamping means 20, 30 are also described as 'preloaded'. Thus the disclosure of Evans, et al. does disclose clamping

or fixing between the first contact element 50 and second contact element 25, 35, in the same manner as Appellant's invention and therefore, the Examiner's assertion is not conclusory but is supported by the reference.

**(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Vladimir Imas

March 31, 2010

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